STATE OF MICHIGAN COURT OF APPEALS

PEOPLE OF THE STATE OF MICHIGAN,

THE STATE OF WHEIROARY,

Plaintiff-Appellee,

UNPUBLISHED December 7, 2010

V

KEVIN TODD ACTON,

Defendant-Appellant.

No. 289379 Grand Traverse Circuit Court LC No. 08-010597-FH

Before: WHITBECK, P.J., and SAWYER and BORRELLO, JJ.

SAWYER, J. (concurring).

I concur in the result only.

/s/ David H. Sawyer